

THE USE OF HOTEL 'PHONES

Guests Not Entitled to It, Judge Cox Holds.

THE FREDONIA CASE DECIDED

Only Such Use of It Permissible as Relates to the Business of the Hotel in Connection With Its Guests—On These Terms the Instrument Must Be Left There.

The Hotel Fredonia telephone case, Toucher against the Chesapeake and Potomac Telephone Company, was decided today by Judge Cox, and is virtually a complete victory for the company. It is adjudged that the guests of a hotel have not the right to use the hotel telephone for their private business without paying for it to the company, and that if the 'phone is used for hotel business by the guests a clerk of the house must use it, and not the guests.

A hotel telephone is not different from a private 'phone in so far that it may be used only for the special business of the house, and not by outsiders who do not pay. As long as Mr. Danenhower uses this instrument in the way only, the court enjoins the company from taking it out of the hotel.

Mr. William W. Danenhower filed his bill against the hotel company several days ago, asking that it be enjoined from removing the telephone in the Hotel Fredonia, of which he is proprietor, and that he be allowed to use it as he saw fit for his guests and for his private purposes. He stated that the company had sold him such use as was a violation of the contract, and that if the 'phone was used in any way except for his own private purposes it could be removed. Later, he said, the company set a day for the removal of the instrument. He brought his suit to prevent this.

Judge Cox granted a temporary injunction against the company and then proceeded into the immediate consideration of the case. It has been argued at length for several days by Judge John Wilson for the company, and Mr. E. H. Thomas for Mr. Danenhower.

Judge Cox said in part: "The telephone company is obliged to maintain an expensive plant, and is entitled to charge for its services, and I presume to charge for every message sent. All that the law requires of the company is that it shall not discriminate between its patrons. It must serve all its customers alike on equal terms."

The court held that any contracts which former proprietors of the hotel made that gave the telephone to the hotel as a part of the furniture, and that the hotel as a whole, and not the individual proprietors, were to be bound by the law of this case.

Judge Cox called attention to the "explicit terms" of the contract, and said that any larger use would violate the contract and give the company the right to remove the instrument.

When a subscriber allows others to use his instrument the court held that three parties are injured, viz: the telephone company, the Bell company, and the other subscribers.

The time of a telephone operator is taken up to send messages that are not paid for. The Bell company receives a royalty on the business of the telephone company, and thus becomes a loser also. Every man who uses another's instrument might himself become a subscriber, if he were not allowed to use it.

The third class interested are the paying customers of the company. They pay for prompt service. When they ring up and find the line occupied by some one who does not pay, they are to this extent injured, much or little as the case may be.

Judge Cox said that he had a telephone in his own house and had had this trouble himself.

As to the contention of Mr. Thomas that any guest of the Fredonia is entitled to use its 'phone for any purpose and that such use must be considered the business of the hotel, the court held that it could not stand.

The guests of a hotel do not expect to send telegrams or employ messengers, or use carriages free, and the use of the telephone must be considered to be no different from any of these matters.

Under the head of legitimate hotel business may be included inquiries, guests' baggage and other similar messages. Inquiries for theater tickets or flowers or talks with the guests' Congressmen would not be hotel business. The line between these two might in some cases be hard to draw.

The Fredonia must decide for itself as to this with the consent of the company. The guests, personally, have no right even to use the 'phone. A clerk of the house must ask after their baggage for them.

Judge Cox concluded his decision with the opinion that he could not see that Mr. Danenhower had been discriminated against or treated differently from other subscribers.

Tide Table.
Today—Low tide, 2:37 a. m. and 2:44 p. m.; high tide, 8:24 a. m. and 8:52 p. m.

Condition of the Water.
Temperature and condition of the water at 8 a. m.: Great Falls—Temperature, 32; condition, 26. Reservoir—Temperature, 34; condition at north connection, 26; condition at south connection, 26. Distributing reservoir—Temperature, 32; condition at influent gatehouse, 35; effluent gatehouse, 19.

City Lights.
Gas lamps are lighted at 6:28 p. m.; extinguished at 9:07 a. m. The lighting is begun one hour before the hour named. Arc lamps are lighted at 6:28 p. m.; extinguished at 6:22 a. m.

Kidney and Bladder Troubles Quickly Cured.
You May Have a Sample Bottle of the Great Discovery, Dr. Kilmer's Swamp-Root, Sent Free by Mail.

Men and women doctor their troubles as often without benefit, that they get discouraged and skeptical. In most such cases serious mistakes are made in doctoring and in not knowing what our trouble is or what makes us sick. The unmistakable evidences of kidney trouble are pain or aching in the back, the frequent desire to pass water, weak, watery, smarting urine. As kidney disease advances the face looks pale, the eyes, the feet and ankles swell, the heart acts badly, should further evidence be needed to find out the cause of sickness, then set aside for twenty-four hours, if there is a sediment or settling it is also convincing proof that our kidneys and bladder need doctoring.

A fact often overlooked, is that women suffer as much from kidney and bladder trouble as men do.

Dr. Kilmer's Swamp-Root is the discovery of the eminent physician and scientist, and is not recommended for everything, but will be found just what is needed in

If your children are well out not robust, they need Scott's Emulsion of Cod-liver Oil.

We are constantly in receipt of reports from parents who give their children the emulsion every fall for a month or two. It keeps them well and strong all winter. It prevents their taking cold. Your doctor will confirm this.

The oil combined with the hypophosphites is a splendid food tonic.

See and know all drug stores. SCOTT & BOWNE, Chemists, New York.

POSED AS A LOVELY MAIDEN.

And Now J. H. Curtis is in the Clutches of the Law. Bridgeport, Conn., Feb. 5.—Joseph H. Curtis, a young law student, was arrested here yesterday by United States Marshal Stephen Hayes, on a warrant charging him with using the mails for a fraudulent purpose.

Last summer Curtis advertised in various "matrimonial" papers as follows: "I am a young lady, aged 29, 135 pounds, dark brown hair and eyes; height, 5 feet 4 inches; American. All letters answered. Miss JENNIE CURTIS, 189 State st., Bridgeport, Conn."

Replies came thick and fast from all parts of the United States. They came from men of all kinds and classes, young and old, rich and poor, but the majority of the correspondents were rich—that is, they said they were. Curtis maintained a regular correspondence bureau, and after leading his victims on to what he considered the proper point sent each one a photograph of himself, and thought "Jennie" would make him a desirable wife.

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DR. YOUNG,

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This Includes All Medicines.

Daily office hours, 10 to 1 and 3 to 6. Sunday, 10 to 12.

FREE CONSULTATION.

HER BARON A BARBER

A Title-Loving Woman Learns That Her Husband Is a Fraud.

He Had a Wife in Germany, But Had No Estates Nor Fine Connections.

Philadelphia, Feb. 8.—Emily M. Koehner has instructed her counsel, Robert J. Arundel, to begin suit in common pleas court for divorce from her husband, Rudolph N. Koehner.

The charge is desertion. According to Mr. Arundel, the couple were married in July, 1890. They met at Cape May, where Emily was staying with Mrs. Eugene Conman, a wealthy widow, of Yorkers, N. Y., her mother by adoption.

Rudolph was young and handsome. He was accompanied by a valet, occupied expensive rooms, and it was whispered that he was the son of a wealthy brewer, of Hesse-Darmstadt, Germany. It was also said he was a baron. The young people became friendly, and within two weeks their engagement was announced. Mrs. Conman was delighted with the match, especially when Rudolph spoke to her about the vast estates owned by his father, and which would become his. The trio left the seashore early in June, stopped at Plainfield, N. J., a short time, and then went to Yorkers, where the marriage took place.

A bridal tour to Germany followed. Mrs. Koehner accompanied her daughter. They were unable to find any trace of the vast estates. Rudolph explained this by saying his father had failed, and creditors had taken the houses and land. Mrs. Conman had to pay the expenses back. She purchased a house on Old York road, near Ogdens, where they lived for a year.

Then Mrs. Koehner is said to have discovered a letter addressed to her husband. Its postmark was German. She opened it and read: "My Dear Husband: I cannot account for your long absence from Yorkers where to send the question for a great many years without success. To know what made the change from the insoluble indigestible cure to the soluble digestible cheese was a question none could answer. Many believed it was an organic growth, while as many others claimed there was no life generated there, but that the change was brought about by purely chemical combination. In Minnesota found that in pure cheese the latter was a fact. That is to say, pure American, or what many call full cream cheese."

"Not so with some of the imported varieties, Limburger, that disgusting, ill-smelling stuff is also quite alive with animals. So is the brick cheese, the hand cheese and many other varieties of imported stuff. It is the prolific growth within these kinds that makes the smell. Do you wonder that they're highly on edge when millions upon millions of minute maggots are being created and dying every minute in a chunk of the stuff as big as a bean? How any one can eat these high smelling imported cheeses is a mystery to me."

"Simple and unimportant as this may seem to one not interested in science, this is a most important discovery," said Secretary Wilson, "microscopists and bacteriologists have been studying the question for a great many years without success. To know what made the change from the insoluble indigestible cure to the soluble digestible cheese was a question none could answer. Many believed it was an organic growth, while as many others claimed there was no life generated there, but that the change was brought about by purely chemical combination. In Minnesota found that in pure cheese the latter was a fact. That is to say, pure American, or what many call full cream cheese."

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ROUTES OF THE RAILWAYS

Another Hearing Before a District Subcommittee.

OBJECTIONS TO SOME LOOPS

Extensions of the Capital Traction and Metropolitan Lines Discussed. A Protest Against Eckington Legislation Being Contingent Upon the Payment of Bell Line Debts.

The subcommittee, on railways of the House District Committee, gave a hearing today to those who objected to or approved the plan of extension of the Capital Traction Company and the Metropolitan Railway. The committee room was crowded with railway men and representatives of various citizens' associations.

Before taking up these matters specifically the committee heard from the Eckington and Soldiers' Home Railway. Mr. Crosby, representing that road, made a statement to the effect that it was fair to the company to have the plan of extension of the Capital Traction Company and the Metropolitan Railway.